

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICK PEARSON, FRANCISCO PADILLA,
CECILIA LINARES, AUGUSTINA BLANCO,
ABEL GONZALEZ, and RICHARD
JENNINGS, On Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

v.

NBTY, INC., a Delaware corporation; and
REXALL SUNDOWN, INC., a Florida
corporation; TARGET CORPORATION, a
Minnesota Corporation,

Defendants.

Case No.: 11 CV 07972

CLASS ACTION

Judge James B. Zagel

NOTICE OF FILING

Defendants NBTY, Inc.; Rexall Sundown, Inc.; and Target Corporation (collectively, “Defendants”), hereby give notice of filing the attached Declaration of Kara L. McCall regarding compliance with the notice requirements of the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1715, as required by the Court’s order preliminarily approving the settlement. *See* Preliminary Approval Order ¶ 10 [D.E. 89].

Dated: August 29, 2013

Respectfully submitted,

NBTY, Inc.; Rexall Sundown, Inc.; Target
Corporation

By: /s/ Kara L. McCall

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*Counsel for Defendants NBTY, Inc.; Rexall
Sundown, Inc.; Target Corporation*

CERTIFICATE OF SERVICE

I, Kara L. McCall, one of the attorneys for Defendants Target Corporation; NBTY, Inc.; and Rexall Sundown, Inc., certify that on the 29th of August, 2013, I caused a copy of the foregoing **NOTICE OF FILING** to be filed electronically with the Clerk of Court, to be served by operation of the Court's electronic filing system to all counsel of record.

/s/Kara L. McCall
Kara L. McCall